

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CASE NUMBER: 97-CR-0005(CCC)

AXEL RIVERA- VELAZQUEZ

* * * * *

MOTION RESPONDING TO COURT ORDER OF JULY 26, 2005

**TO THE HONORABLE CARMEN CONZUELO CEREZO
U.S. DISTRICT JUDGE FOR THE
DISTRICT OF PUERTO RICO**

COMES NOW, ORLANDO RULLAN, U.S. PROBATION OFFICER of this Honorable Court, respectfully informs and prays as follows:

On November 23, 1992, Mr. Axel Rivera-Velázquez was sentenced by this Honorable Court to sixty (60) months of imprisonment followed by a four (4) year supervised release term. On July 26, 2005, we received an order from the Court instructing us to express our position in regards to Mr. Rivera Velazquez' petition for an early termination of his supervision.

Mr. Rivera-Velázquez was released from imprisonment on February 21, 2003. Up to this date, Mr. Rivera-Velázquez has complied with all his supervised release conditions and has been able to maintain a permanent employment and a secure home. However, based on the nature of the instant offense, in which this offender was involved in a serious well-organized drug trafficking enterprise, the U.S. Probation Office recommends that Mr. Rivera-Velázquez continues under the supervision of this court , instead of opting for the termination from supervision. However, based on the offender's good adjustment to supervision

and following our policy, it is recommended that the offender be placed on an administrative supervision until the expiration of his sentence.

WHEREFORE, after carefully reviewing Mr. Rivera-Velázquez' case file and considering the instant conviction, we believe that Mr. Rivera-Velázquez should remain on supervision until the expiration of his sentence, that is, February 20, 2007, but under administrative supervision.

In San Juan, Puerto Rico, this 2nd day of August 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Orlando Rullán
U.S. Probation Officer
Federal Office Building, Office 400
San Juan, PR 00918
Phone: 787-766-6503
Fax: 787-766-5945
orlando_rullan @prp.uscourts.gov

CERTIFICATE OF SERVICE

I HEREBY certify that on August 2, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: H.S. García, U.S. Attorney, and Joseph Laws Federal Public Defender.

At San Juan, Puerto Rico, August 2, 2005.

s/Orlando Rullán
U.S. Probation Officer
Federal Office Building, Office 400
San Juan, PR 00918
Phone: 787-766-6503
Fax: 787-766-5945
orlando_rullán@prp.uscourts.gov

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